1950-51

**File No.** 3601/48

**A CLASS** Public Works **DEPARTMENT**

E **BRANCH** (II)

---

Subject:— Increments Counting of leave period of temporary Govt. Servants —

Order Reg —

H [K] 1951

**File No.** 3601/48 – E Br. (II)

Std. Sects. Slip 24-A

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

# DOCKET SHEET

*Subject :—*

**File No.** 3601/48

Public Works **DEPT.**

E **BRANCH.** (II)

*References :—*

| Date | To whom sent. | Notes and instructions. |
|---|---|---|
| | | |

3601/48/14253.

P. W. Department.

E. B. (II).

The S.E., K.I.C. appears to have confused two issues viz (i) benefit of counting periods of leave towards increments in the case of temporary Govt. servants and (2) appointments to substantive temporary posts.

2. The benefit of counting periods of leave towards increments as per orders issued in G.R., F.D., No. 7532/33, dt. 9.12.50 has been extended to temporary Govt. servants in relaxation of applicable rules in the B.C.S.R.S.

3. Substantive appointments to temporary posts will continue to be made only if the conditions prescribed in the Note below rule 9 (56) of the B.C.S.Rs are satisfied. These conditions do not prescribe that a particular Govt. servant should not be considered to have been appointed substantively unless he puts in more than 3 years' service. In other words, the position stated by the S.E., K.I.C. para 2 of his letter under disposal is not correct. He may be informed accordingly after u.o.r. to the F.D.

Id
24-2-51

Dy Secy W.D.

U. O. R. to the F. D. dt. the 27th Feb. 1951.

Finance Deptt.
'B'

Seen and returned u.o. to P.W.D.

Id
10/3

Id
5-3-51

Id
9-3-51

u.o.r. to P.W.D. dt. 10-3-51.

P. W. D.

E.B.(II).

Submitted with a draft for approval.

3601/48/23942...

3601/48/23949.

E. B. (II). P. W. D.

Quasi permanent establishment as implied by the P.H.E.; has a superior status than the temporary establishment referred to by the PWH.E. in his letter under disposal

2. In the case of quasi permanent establishment, the orders issued in the G.R., F.D. No. 7532/33, dt. the 9th Dec. 1950. automatically apply. In the case of temporary establishment, the orders apply subject to the fulfilment of conditions stipulated in the G. R.

3. The P. H. E. may be informed accordingly, after u.o.r. to the F. D.

Id Dy. Secy. Id
3-4-51 3-4-51

u.o.r. to the F. D. of the 9th April 1951.

3601/48/34642.

Fin. Deptt.(C)

Under B.C.S.R. 50(d) increments of persons appointed to temporary posts in substantive capacity are not postponed during leave other than extraordinary leave. The orders in G.R.F.D. No. 7532/33 dt. 9-12-1950 are intended to apply not to the cases of the above type but to cases where the increment used to be postponed during leave. The view held by the P.W.D. in its foregoing note is, therefore, correct. This may be returned to that Deptt. with these remarks

Id Id
14-4-51 14-4-51

u.o.r. to the P.W.D. dt. 16-4-51.

F. Br. P.W.D.

Submitted with reference to the office note overleaf.

2. The F.D. having agreed, the drafts put up may issue.

Id
26-4-51

Dy. Secy.

# SEPARATOR

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

# DOCKET SHEET

*Subject :—*

File No. 3601/48

Public Works DEPT.

E BRANCH. (II)

*References :—*

| Date | To whom sent. | Notes and instructions. |
|---|---|---|
| | | |

Increments.
Non-postponement of -by leave other than extraordinary leave.

These orders are extended to absorbed State servants vide G.R.F.D. No.7532/33, dt. the 31-10-52 (file No.INT 1252 ) 110520
For further orders pl. see G.R.F.D. No.LVE 2354,dt. the 17-5-54 (554/91595)

for further orders pl. see Govt. Cir., F.D. No. 7532/33, of the 23-2-51(3901/48/25211)

for further pl. also see G.R. F.D. No. INC/353, dt. the 5-4-54(554/67/56)

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 7532/33.

Bombay Castle, 9th December 1950.

RESOLUTION OF GOVERNMENT.

Government has reviewed the conditions of service of Government servants holding temporary appointments and has decided that the benefit of counting periods of leave towards increments should be extended to such Government servants with over three years' continuous service. Government is accordingly pleased to direct, in relaxation of the applicable rules, that periods of leave, other than extraordinary leave, taken by a Government servant (with or without a lien on any post) holding a temporary ~~post, whether in an officiating or a substantive capacity~~, or a permanent post in an officiating capacity, should be allowed to count towards increments in the time scale attached to the post or posts on the same time sacle which were held or, but for the promotion to a higher post would have been held, by him continuously for a period of three years. ~~prior to the commencement of leave.~~

For further orders Pl. see G.R.F.D. No. 7532/33, dt. the 10-6-53 (INT 1153/74224).

2. The term "a period of three years" includes periods of duty as well as periods of leave excluding extraordinary leave.

3.....

3. These orders should take effect from 1st April 1950. They will also apply to Government Servants on leave on 1st April 1950. [illegible] but in their case the period of leave from that date only should be allowed to count towards increments.

By order of the Governor of Bombay

P. V. R. RAO,
Secretary to Government.

To

The Accountant General, Bombay,

The Deputy Accountant General, Baroda,

*The Registar, High Court of Judicature, Appellate Side, Bombay,

*The Prothonotary and Senior Master, High Court, Bombay,

The Secretary to the Governor,

All Departments of the Secretariat,

All Heads of the Offices under the several Departments of the Secretariat,

The Secretary to the Honourable the Chief Minister,

The Enquiry Officer, Secretariat,

.*By letter.

No. of 1950.

Copy forwarded for information and guidance to:-

Increments.

Non-postponment of-by leave, other than extraordinary leave -

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Circular No. 7532/33.

Bombay Castle, 23rd February 1951.

CIRCULAR OF GOVERNMENT.

In order to facilitate disposal of claims for increments preferred under the orders contained in Government Resolution, Finance Department, No. 7532/33, dated the 9th December 1950, Government is pleased to direct the Heads of offices to furnish in such cases an additional certificate in the following form along with the increment cirtificate (Treasury Order Form No. 9):-

"Certified that Shri / Shrimati ..... has held but for the promotion to a higher post the temporary / premanent post of.....in the scale of pay.....in an officiating / substantive capacity continuously for a period of three years (excluding extraordinary leave) and that the periods of leave (other than extraordinary leave) from..... to..... taken by him / her have been counted towards the increment under Government Resolution, Finance Department, 7532/33, dated the 9th December 1950."

*For further orders pl. see G.R.F.D. No. 7532/33-E 10-6-53. INT 1153/74224).

By order of the Governor of Bombay,

D. H. DAMLE,

Deputy Secretary to the Govt. of Bombay, Finance Deptt.

P. T. O.

To

The Accountant General, Bombay,

The Deputy Accountant General, Baroda,

*The Registar, High Court of Judicature, Appellate Side, Bombay,

*The Prothonotary and Senior Master, High Court, Bombay,

The Secretary to the Governor,

All Departments of the Secretariat,

All Heads of Offices under the several departments of the Secretariat,

The Secretary to Honourable Chief Minister,

The Enquiry Officer, Secretariat.

*By letter.

No. of 1951.

Copy forwarded for information and guidance to:- .

No. G-47 Office of the Superintending Engineer
Karnatak Irrigation Circle,
Dharwar, 11th Feby. 1951.

To

The Chief Engineer,

Public Works Department,

Bombay -1.

Subject: Appointment to temporary posts.

In accordance with the Note below Rule 9(56) of the B.C.S.R.Volume I, Substantive appointments to temporary posts sanctioned for a period of not less than three years were heretofore being made in this Circle. But the Government Resolution, Finance Department No. 7532/33 dated the 9th December 1950 received recently in this office lays down that periods of leave, other than extraordinary leave, taken by a Government servant holding a temporary post, whether in an officiating or a substantive capacity, should be allowed to count towards increments in the time scale attached to the post or posts on the same time scale which were held by him continuously for a period of three years.

2. In view of these recent orders, I may please be infromed if a Government servant cannot be considered to have been appointed substantively unless he puts in more than 3 years of service irrespective of the consideration whether the post held by him is sanctioned for a period of three years or more. This may kindly be confirmed.

Sd/-
11/2

Superintending Engineer, K.I.C.

Id
11/2

3601/48/22312.

Letter.

No. 3601/48-E(II).

P. W. Deptt.,
B. C. (B'bay No.1),
29th March 1951.

To

The S.E., K.I.C.

Subject:- Appointment to tempy. posts.

Refce.: Your letter No. C47, dt. 11.2.1951

2. Your attention is invited to para. one of G.R.F.D. No. 7532/33, dt. 9.12.1950. It will be seen that the benefits of counting periods of leave towards increments, as per orders issued in the G.R. aforesaid have been extended to the temporary Govt. servants, in relaxation of the applicable rules in the B.C.S.Rs. Substantive appointments to tempy. posts will continue to be made only if the conditions prescribed in the note below rule 9(56) of the B.C.S.Rs. are satisfied. These conditions do not prescribe that a particular Govt. servant should not be considered to have been appointed substantively, unless he puts in more than 3 years' service. In other words the position as stated by you in para. 2 of your letter under reference is not correct.

By order etc.,

Id
24-3-51.

Asstt. Secy. to Govt.
P. W. D.

Issued
30-3-51

URGENT

No.A.1.33.G/3485 of 1951,

Poona 1, 16th March 1951.

To

The Secretary to Government,

Public Works Department, Bombay.

Subject:- Temporary Establishment.
Non-postponement of increments
by leave other than extra-ordinary
leave in respect of ---

Reference:-Government Resolution, Finance Department No.7532/33, dated the 9th December 1950.

2. The orders issued in the above quoted resolution are presumably applicable to the temporary establishment which is generally employed according to the exigencies of work such as in the meaning of para 88 of the Bombay P.W.D. Manual-I, and do not embrace that temporary establishment which can be considered as quasi-permanent vide note below rule 9(56) of the B.C.S.Rs. Please let me know if this presumption is correct as I have a large temporary establishment in my Circle which is treated by me as quasi-permanent and granted the concession of non postponement of increment due to leave other than extra-ordinary leave.

3. Early orders are requested.

D.A.Nill

Sd/-

Public Health Engineer
to Government.

3601/48/34642.

Letter.

No. 3601/48-F

P. W. D.

B.C. (BBbay No. 1) dt. 30th April 1951.
dt. 30th April 1951.

To

The P.H.E. to Govt.

Sub: Tempy Estabt: Non postponment of increments by leave other than extra-ordinary leave in respect of -

Ref: Your letter No. A1.33.G/3485, dt. 16.3.1951.

2. The presumption made by you is not correct. The quasi-permanent establishment as implied by you has a status superior to the 'temporary establishment' referred to by you in your letter under reference. In the case of 'quasi-permanent' estabt, the orders issued in G.R.F.D. No. 7532/33, dt. 9.12.50 automatically apply. In the case of tempy estabt. the orders apply subject to the fulfilment of conditions stipulated in the G. R.

By order etc.

Asstt. Secy. to the Govt. of Bombay
P. W. D.

Copy with a copy of the P.H.E.'s letter referred to forwarded to -

the C.E., B'bay El. Genl
the S.E.S. of Circles,
the El. Engr. to Govt.

for information.

Id

Increments.
Non-postponement of - by leave
other than extraordinaryleave

GOVERNMENT OF BOMBAY

FINANCE DEPARTMENT.

Resolution No. 7532/33.

Secretariat (Annexe), Fort, Bombay, 10th June 1953.

RESOLUTION.— Government is pleased to direct that the words "post, whether in an officiating or a substantive capacity" occurring in lines 6th and 7th of paragraph 1 of Government Resolution, Finance Department, No. 7532/33, dated 9th December 1950, should be deleted. Similarly the words "prior to the commencement of leave" occuring at the end of paragraph 1 of the same Resolution should also be deleted. The Government servants who complete 3 years while on leave are entitled to count towards increment the period of leave falling after the date of completion of 3 years.

2. The words "Prior to the commencement of leave, specified in column 10 and that these periods of leave (other than extraordinary leave)" occurring in lines 5 and 6 of the certificate printed in Government Circular Finance Department, No. 7532/33, dated 23rd February 1951, should be substituted by the words "and that the periods of leave (other than extraordinary leave) from..... to.....".

3. Government is also pleased to direct that the term "a period of three years" occurring in paragraph 2 of the Resolution No. 7532/33, dated 9th December 1950, should include—

(i) the probationary period of service of a Government servant during which he drawns a fixed pay;

(ii) the joining time period taken under Bombay Civil Services Rule 79(b) and (c) during which leave slalry is drawn; and

(iii).....

(iii) the period of service of a Government servant in another Department or office during which he would have continued to officiate in his original post but for his transfer to another Department or Office.

4. The period of leave that should be allowed to count towards increment should be restricted to the period during which the Government servant would have officiated in the post if he had not proceeded on leave. The authority competent to make appointment to the post should furnish the following certificate while preferring claim for increment under Government Resolution, Finance Department, No. 7532/33, dated 9th December 1950:-

"Certified that Shri..... would have continued to officiate in the post of..... if he had not proceeded on leave for the period from..... ..... to .....".

5. These orders should take effect from the date the orders in the Government Resolution of 9th December 1950 are applicable i.e., 1st April 1950.

By order and in the name of the
Governor of Bombay,

G. HURRY,
Assistant Secretary to the
Government of Bombay.

G.R.No. 7532/33, F. D.] dated 10th June 1953.

To

The Accountant General, Bombay,

The Deputy Accountant General, Baroda,

*The Prothonotary and Senior Master, High Court, Bombay,

*The Register, High Court of Judicature, Appellate Side, Bombay,

The Secretary to the Governor,

All.....

All Departments of the Secretariat,

All Heads of Offices under the several Departments of the Secretariat,

The Secretary to the Chief Minister,

The Liaison Officer, Secretariat.

*By letter.

No. of 1953.

Copy forwarded for information and guidance, to :